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April 9, 2019

Honorable Chief Judge Dora L. Irizarry, U.S.D.J.
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

**Re: Letter Explaining Why There Are Three Sets of Affidavit of Service on
Complaint, and Explaining the Complaint Was Properly Served
Lin v. Quality Woods, Inc. et al., 17-cv-03043**

Dear Honorable Judge Irizarry:

Our office represents the Plaintiff in the above referenced matter. We write respectfully to explain why there were three sets of Affidavit of Service filed with the Court. Furthermore, Plaintiff respectfully writes to explain that the Complaint was properly served upon all Defendants in light of your Honor's order dated April 1, 2019, directing Plaintiff to file proof of proper service of the Complaint by May 1, 2019.

On January 28, 2019, Judge Bulsara issued a report and recommendation on Plaintiff's motion for default judgment, in the report, Judge Bulsara had doubts on whether Plaintiff actually served Defendants with the Complaint. Plaintiff respectfully address this issue. On May 19, 2017, Plaintiff filed the Complaint, on May 26, 2017, Plaintiff served the Complaint upon Defendants at 1340 Metropolitan Avenue, Brooklyn, New York 11237, Defendants' then address. Proof of service was filed with the Court on June 8, 2017. (Dkt Nos. 7-15, "first set of POS.")

Sometime after Defendants were served with the Complaint, Plaintiff learned that Defendants have moved to a new location. To avoid any future service disputes, on August 15, 2017, Plaintiff served the Complaint upon Defendants at the new location, which was in Freeport, New York. Proof of service was filed with the Court on August 16, 2017, (Dkt Nos. 16-24, "second set of POS.") Although the Complaint was served at the new location in Freeport, the process server put down the old address on the proof of service by mistake, and Plaintiff's counsel did not notice the mistake until May of 2018.

After finding out about the mistake on the second set of POS, Plaintiff's counsel asked the process server to amend the affidavit of service, reflecting the correct address which the Defendants were served, and then filed with the Court accordingly. *See* Dkt Nos.

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25-33, Amended Affidavit of Service. This is the reason why there are three sets of affidavit of services, Plaintiff apologizes for confusing the Court with this issue, and should have addressed to this issue earlier.

On April 1, 2019, your Honor directed Plaintiff to file POS of the Complaint by May 1, 2019. For the foregoing explanations, Plaintiff properly served Defendants with the Complaint on August 15, 2017, and POS are already on the docket. Plaintiff again, apologizes to the Court for the confusions. Plaintiff intend to re-file the motion for default judgment.

We thank the court for its time and attention to this matter.

Respectfully submitted,

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